

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**PROGRESS RAIL SERVICES
CORPORATION,**

Plaintiff,

VS.

WESTERN HERITAGE CREDIT UNION,

Defendant.

8:05CV98

ORDER

This matter is before the court on the plaintiff's Second Motion for Leave to File Amended Complaint (Filing No. 16). The plaintiff attached to the motion an unsigned copy of the proposed amended complaint, in compliance with NECivR 15.1(a). **See** Filing No. 16, Exhibit B. The plaintiff represents that the defendant has no objection to its Motion. Upon consideration,

IT IS ORDERED:

1. The plaintiff's Second Motion to Amend Complaint (Filing No. 16) is granted.
2. The plaintiff shall have to **on or before August 22, 2005**, to file the amended complaint.

DATED this 9th day of August, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge